

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Estt – RWS&S – RWS Engineering Service Rules – Filling up of the post of Executive Engineer from the category of Non-Graduate Deputy Executive Engineers – Relaxation of Special Rules as a onetime measure – Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (ESTT.III) DEPARTMENT

G.O.Rt.No. 1622

Dated: 02.11.2011.

Read the following:-

1. G.O.Ms.No.219, PR&RD (Estt.III) Department, Dated: 11.6.2008.
2. G.O.Ms.No.338, PR&RD (Estt.III) Department, Dated: 7.11.2009.
3. From S/Sri B.N.Amarnath and J.Laxman, Deputy Executive Engineers (RWS&S) , Representation dated 23.06.2011.
4. Govt.Memo.No.14019/Estt.III/A1/2011-1,PR&RD(Estt.III)Dept., Dated: 6.7.2011.
5. From the Special Officer, O/o.ENC, RWS&S, Lr.No.G(1)/RWS&S/Service Rules/14019/2011, dated 18.07.2011.

ORDER:

In the G.O. 1st read above, Special Rules governing Rural Water Supply & Sanitation Engineering Services were issued prescribing among others the Bachelor Degree in Civil or Mechanical Engineering or its equivalent as the qualification for appointment to the post of Executive Engineer.

2. S/Sri B.N.Amarnath and J.Laxman, Deputy Executive Engineers (RWS&S), in their representation 3rd read above, have stated that while making the Special Rules in G.O.Ms.No.15, PR&RD (Estt.III) Department, dated: 08.01.1999, a ratio of 3:1 is prescribed for Graduate Engineers and Diploma Engineers for promotion to the post of Executive Engineer. They have further stated that there is no restriction for the diploma holders to get promotion to the category of Executive Engineers in other sister Engineering Departments such as R&B and Irrigation. They have further stated that even if the Government wants to bring in a new legislation, the same should not be allowed to take away the rights that accrued to the existing class of employees.They have therefore requested the Government to create provision for consideration of diploma holders for getting promotion as Executive Engineer by relaxing the Special Rules.

3. The Special Officer, O/o Engineer-in-Chief, RWS&S, Hyderabad, in his letter 5th above, has stated that as per the Special Rules issued in the G.O. 1st read above, the Non-Graduate Engineers, working as Deputy Executive Engineers in the Department, are not eligible for getting promotion to the post of Executive Engineer. He has further stated that at present, (33) Non-Graduate Engineers are working as Deputy Executive Engineers in the Department.

4. The Hon'ble High Court of A.P., in its orders, dated 31.12.2008 in WP No. 7086/2005 has set aside the Note – 3 (iii) of Rule 3 (a) of A.P. Panchayat Raj & Rural Development Engineering Service Rules, holding that the qualification prescribed for promotion to the post of Executive Engineer in Annexure to Rule 3 (b) of the Rules prescribing Bachelor Engineering Degree is mandatory. In the G.O. 2nd read above, orders were issued among others omitting the clause that stipulates that the posts of Executive Engineers shall be filled by Graduate and Non-Graduate Deputy Executive Engineers in the ratio of 3:1 calculated on the total cadre strength of the said category of posts in the Panchayat Raj Engineering Department.

5. As per rule-12 of the A.P.Rural Water Supply & Sanitation Engineering Service Rules (saving clause), nothing in these rules shall adversely affect the persons who were already appointed in accordance with the rules in force immediately before into force of these rules.

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6. Government have observed that in other Engineering Departments like A.P. Public Health & Municipal Engineering Service; A.P. Engineering Service; A.P. R&B Engineering Service rules issued vide G.O.Ms.No.168, MA, Dated: 26.2.1965, G.O.Ms.No.285, PWD, Dated: 22.2.1967 and G.O.Ms.No.103, TR&B (Ser.II) Department, Dated: 22.5.1996 (as amended from time to time) respectively, there is a provision for Diploma Deputy Executive Engineers for promotion to the post of Executive Engineers.

7. Government, after careful examination of the matter, have decided to relax column (3) of item (4) under Class-A of Annexure to Rule-3(b) of the A.P. Rural Water Supply & Sanitation Engineering Service Rules, issued in the G.O.1st read above, as one time measure, as a special case, in respect of the Deputy Executive Engineers working as on date in the A.P. Rural Water Supply & Sanitation Department with the qualifications of LCE/LSE/LME/LAA (Arch), so as to enable them to get the promotion to the post of Executive Engineers in Rural Water Supply & Sanitation Department.

8. Accordingly, Government hereby relax column (3) of item (4) under Class-A of Annexure to Rule-3(b) of the A.P. Rural Water Supply & Sanitation Engineering Service Rules, issued in the G.O.1st read above, as one time measure, as a special case, in respect of the Deputy Executive Engineers working as on date in the Rural Water Supply & Sanitation Department with the qualifications of LCE/LSE/LME/LAA (Arch), so as to enable them to get promotion to the post of Executive Engineers in Rural Water Supply & Sanitation Department.

9. The Special Officer, O/o. Engineer-in-Chief, Rural Water Supply & Sanitation, Hyderabad shall take necessary action accordingly and to include the Non-Graduate Deputy Executive Engineers working as on date in the Rural Water Supply & Sanitation Department, in the seniority list of Deputy Executive Engineers in the Zonal Seniority list and the State Wide integrated seniority list, as per the date of joining.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHITRA RAMCHANDRAN
PRINCIPAL SECRETARY TO GOVERNMENT (RWS&S)

To

The Special Officer, O/o. Engineer-in-Chief, RWS&S, Hyderabad.

Copy to:

All the Chief Engineers / Superintending Engineers, RWS&S Dept.,

The Prl. Secy. to CM

The PS to M(PR&RWS).

Sf/Sc.

// FORWARDED :: BY :: ORDER //

SECTION OFFICER